

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
- NOTICE OF PUBLIC WORKSHOP -**

- **PRESENTATION OF RESULTS OF THE STUDIES CONDUCTED BY DUKE ENERGY, LLC, AT THE SOUTH BAY POWER PLANT TO DEMONSTRATE COMPLIANCE WITH SECTIONS 316(a) AND 316(b) OF THE CLEAN WATER ACT**

**May 19, 2004 at 9:00 a.m.
Regional Board Office, Board Room
9174 Sky Park Court, Suite 100
San Diego California 92123-4340**

PUBLIC PRESENTATION

The California Regional Water Quality Control Board, San Diego Region (Regional Board) will hold a public workshop to enable Duke Energy, LLC (Duke Energy) and its contractors to present an overview of the studies conducted at the South Bay Power Plant to demonstrate compliance with Sections 316(a) and 316(b) of the Clean Water Act (CWA).

Date: Wednesday, May 19, 2004

Time: 9:00 a.m.

Location: Regional Board Office – Board Room
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Objectives for the Public Workshop:

1. To allow Duke Energy to present an overview of the studies conducted at the South Bay Power Plant to demonstrate compliance with Sections 316(a) and 316(b) of the CWA.
2. To provide an opportunity for the public to provide comments on the studies.

The Regional Board will accept written comments from the public on the draft technical study reports but will not be providing written responses to the comments.

BACKGROUND

On May 24, 2003 the Executive Officer issued a California Water Code (CWC) Section 13267 letter to Duke Energy directing it to conduct six studies to assess the impact of the intake structures and the discharge from the South Bay Power Plant (SBPP) on the biological resources and beneficial uses of south San Diego Bay and to verify compliance with CWA Sections 316(a) and 316(b). Following is a list of the required six studies:

1. Updated Discharge Impact Assessment Study for Compliance with CWA Section 316(a).
2. CWA Section 316(b) Updated Comprehensive Demonstration Study – Intake Structures.
3. Updated Eelgrass Study.
4. Updated Dissolved Oxygen Assessment Study.
5. Investigation of Compatibility of Discharge with the Goals of the South San Diego Bay National Refuge.
6. Special Sunset Study. The purpose of this study is to identify the effects of any proposed changes in plant operations on the beneficial uses of south San Diego Bay. This study will be initiated at the discretion of the Regional Board, when a decision is made to construct a new power plant, terminate the discharge, or to make

major modifications to reduce the amount of heat discharged to south San Diego Bay. This study has not yet been conducted by Duke Energy.

Study Nos. 1, 3, and 4 were combined and addressed under one report since all three studies were related to the thermal discharge effects of the SBPP and compliance with CWA 316(a) requirements. Duke Energy commenced implementation of the studies in December 2002. The studies were conducted over one complete annual cycle and ended in December 2003. The draft technical reports for the studies were submitted to the Regional Board in April 2004.

The results of the studies and written comments provided by the public on the studies may be used in the Regional Board's development of a renewal NPDES permit for the SBPP. A tentative NPDES permit is expected to be available for public review and comment in June 2004.

AVAILABILITY OF STUDY REPORTS

The draft technical reports associated with the studies can be downloaded from the Regional Board's website at www.swrcb.ca.gov/rwqcb9/. For questions regarding the technical reports or if you need compact discs containing the electronic versions of the draft technical reports, please contact Mr. Hashim Navrozali at (858) 467-2981 or via email at navrh@rb9.swrcb.ca.gov.

INFORMATION

Parking is available at the workshop location. A map with directions to the workshop may be obtained from the Regional Board's website or by contacting Ms. Lori Costa at the phone number below.

The workshop room facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Ms. Lori Costa at (858) 467-2357 at least 5 working days prior to May 19, 2004. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

John H. Robertus
EXECUTIVE OFFICER